

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANNETTA JENKINS : CIVIL ACTION
v. :
POSTMASTER GENERAL : NO. 06-cv-4550-JF

MEMORANDUM AND ORDER

Fullam, Sr. J. May 22, 2007

Plaintiff, acting *pro se*, filed this action against her former employer alleging gender and or race discrimination. I originally granted plaintiff's request for appointment of attorney, but later vacated that order when no attorney was willing to represent plaintiff. Defendant has filed a motion for summary judgment. Plaintiff has not responded. The motion will be granted.

Plaintiff, a black woman, was hired by the United States Postal Service ("USPS") as a city mail carrier on March 19, 2005. Under the applicable collective bargaining agreement, for the first 90 days of her employment, plaintiff was a probationary employee who could be fired at any time, without recourse to the grievance system. Plaintiff was fired on June 6, 2005, within the probation period, for unsatisfactory job performance. In particular, plaintiff had difficulty completing her delivery routes on time, had lost a \$500 scanner, and had failed to deliver a package. For her part, plaintiff claims her supervisor discriminated against her because of her gender and or

race. However, plaintiff offers no support for her claim other than that she was looked at and talked to in a "nasty and ugly" way, and that she was not allowed to "case" a route (sorting the mail at the station before delivering the mail). Since plaintiff does not allege that the unpleasant looks and words she received were directed against her race or gender, there is no evidence from which one could infer that defendant's actions were undertaken for an illegitimate reason.

An order follows.

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ORDER

AND NOW, this 22nd day of May, 2007, upon consideration
of defendant's motion for summary judgment, IT IS ORDERED:

1. The motion is GRANTED.
2. Judgment is entered IN FAVOR OF defendant and
AGAINST plaintiff.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.